

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CHAPTER 11

HAM'S RESTAURANTS, INC.

CASE NO. 09-09233-RDD

Debtor.

**WITHDRAWAL OF MOTION FOR AUTHORITY TO INCUR POST-PETITION DEBT
PURSUANT TO 11 U.S.C. § 364(b)**

NOW COMES Ham's Restaurants, Inc., Debtor-in-Possession ("Debtor") in the above-referenced case, through counsel, and hereby withdraws its Motion for Authority to Incur Post-Petition Debt Pursuant to 11 U.S.C. § 364(b) filed with this Court on November 2, 2009.

This the 30th day of December, 2008.

EVERETT, GASKINS, HANCOCK & STEVENS, LLP

BY: /s/ Rebecca F. Redwine
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the Debtor's **WITHDRAWAL OF MOTION FOR AUTHORITY TO INCUR POST-PETITION DEBT PURSUANT TO 11 U.S.C. § 364(b)** has been served upon each of the parties listed below by placing copies of the same in the United States mail, postage prepaid, this 30th day of December, 2009.

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